

TEKER TORRES & TEKER, P.C.

130 Aspinall Avenue-Suite 2A
Hagåtña, Guam 96910
Telephone: (671) 477.9891
Facsimile: (671) 472.2601

UNPINGCO & ASSOCIATES, LLC

777 Route 4, Suite 12B
Sinajana, Guam 96910
Telephone: (671) 475.8545
Facsimile: (671).475.8550

SHORE CHAN BRAGALONE LLP

Suite 4450
325 N. St. Paul Street
Dallas, Texas 75201
Telephone: (214) 593-9110
Facsimile: (214) 593-9111

*Attorneys For Plaintiffs
Nanya Technology Corp. and
Nanya Technology Corp. U.S.A.*

FILED

DISTRICT COURT OF GUAM

JUN 22 2007

MARY L.M. MORAN
CLERK OF COURT

IN THE DISTRICT COURT OF GUAM

NANYA TECHNOLOGY CORP. AND
NANYA TECHNOLOGY CORP. U.S.A.,

Plaintiffs,

v.

FUJITSU LIMITED AND FUJITSU
MICROELECTRONICS AMERICA, INC.,

Defendants.

Case No. CV-06-00025

**DECLARATION OF JOSEPH C.
RAZZANO IN SUPPORT OF
PLAINTIFFS' SUR-REPLY TO
DEFENDANT'S MOTION TO DISMISS**

I, JOSEPH C. RAZZANO, hereby declare as follows:

1. My name is Joseph C. Razzano. I am over the age of 21 and am competent to make this Declaration.

2. All of the statements set forth herein are true and correct and are based on my personal knowledge.

3. I am an attorney of record for Plaintiffs, Nanya Technology Corporation and Nanya Technology Corp. U.S.A. ("Nanya" collectively herein), in the above-captioned and titled cause.

1 4. On June 10, 2007, the Nintendo DS Lite was purchased on Guam at Toys N' Joys which
2 is located in Harmon, Guam.

3 5. On June 22, 2007, the Nintendo DS Lite purchased in Guam was inspected and
4 confirmed that, in fact, the Nintendo DS Lite contains a device pictured in Exhibit "A" bearing the
5 stylized F mark and bearing Part No. 82DBSO2163C-70L. It is my understanding this mark and Part
6 Number corresponds to a Fujitsu memory device.
7

8 6. I personally contacted or directed to be contacted the following locations and
9 confirmed that Nintendo DS Lites are also sold and in some cases have been sold prior to September
10 13, 2006:

- 11 1) Gamestop located at the Agana hopping Center in Hagåtña, Guam.
12 2) Play N' Trade located at the Guam Premier Outlets in Tamuning, Guam.
13 3) Uttam's located in Tamuning, Guam.
14

15 7. On June 20, 2007, the SonyPlaystation Portables ("PSP") was purchased on Guam at
16 Toys N' Joys which is located in Harmon, Guam.

17 8. On June 22, 2007, the PSP was inspected and confirmed that, in fact, the PSP contains a
18 device pictured in Exhibit "B" bearing the stylized F mark and bearing Part No. MB44CO12. It is my
19 understanding this mark and Part Number corresponds to a Fujitsu memory device.
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21 9. I personally contacted or directed to be contacted the following locations and
22 confirmed that PSPs are also sold and in some cases have been sold prior to September 13, 2006:

- 23 1) Gamestop located at the Agana hopping Center in Hagåtña, Guam.
24 2) Play N' Trade located at the Guam Premier Outlets in Tamuning, Guam.
25 3) Uttam's located in Tamuning, Guam.
26

27 10. On June 20, 2007, I visited Atkins Kroll and confirmed that Toyota Part No. 83291
28 corresponds to the Toyota Prius instrument console. I verified with the Parts Department that Part No.

1 83291 is currently available for sale. The Part Number includes a device bearing Fujitsu Part No.
2 MB90583C and it is my understanding that this is a Fujitsu 16 Bit Micro-Controller, which
3 incorporates Semi-conductor structures that infringe the Nanya Patents-in-suit. See Exhibit "C". I
4 contacted Toyota Sales Department and confirmed that the Prius has been sold on Guam since 1998 in
5 varying quantities between two (2) to four (4) cars per month.
6

7 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and
8 correct.

9 EXECUTED on June 22, 2007.


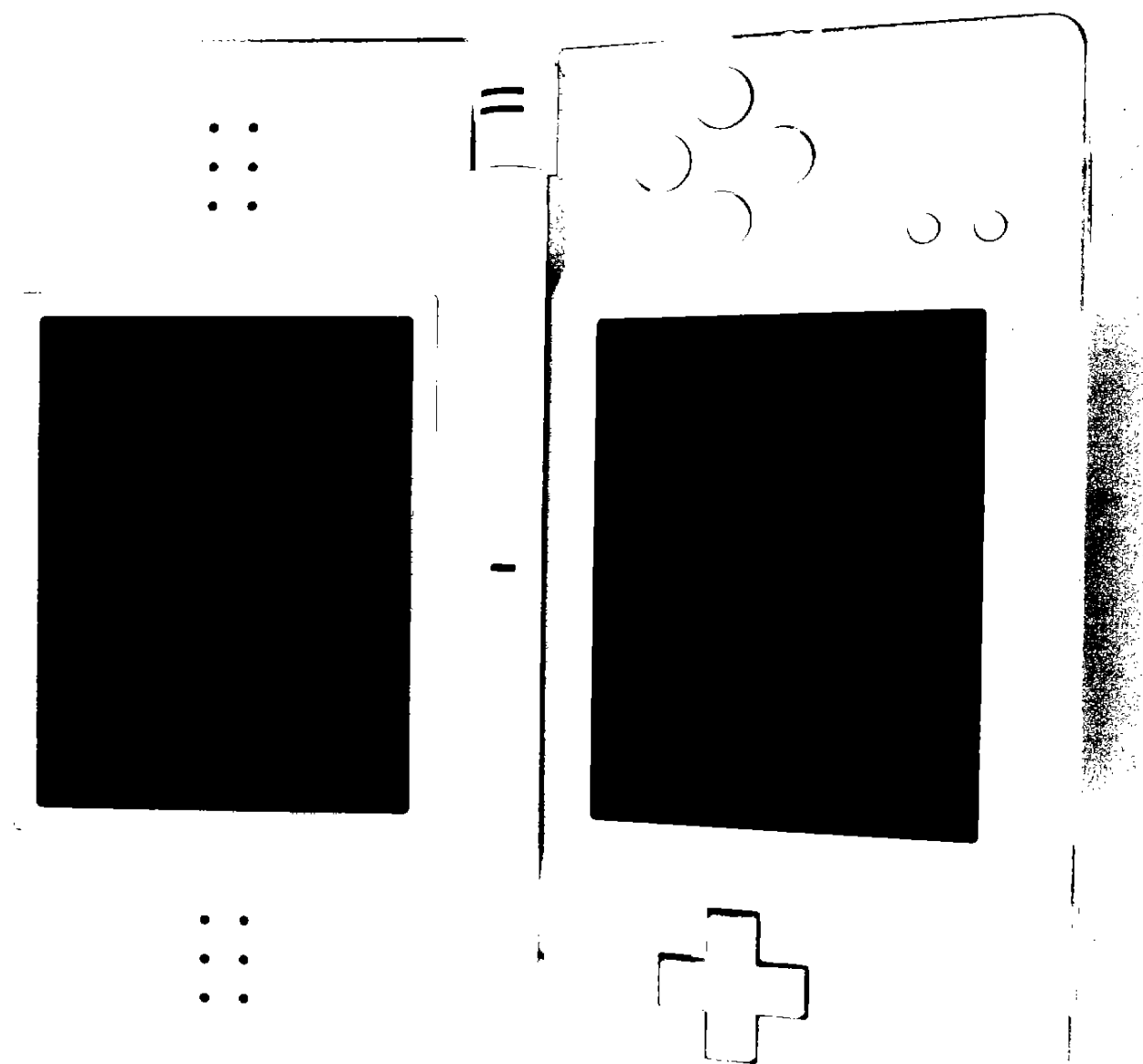
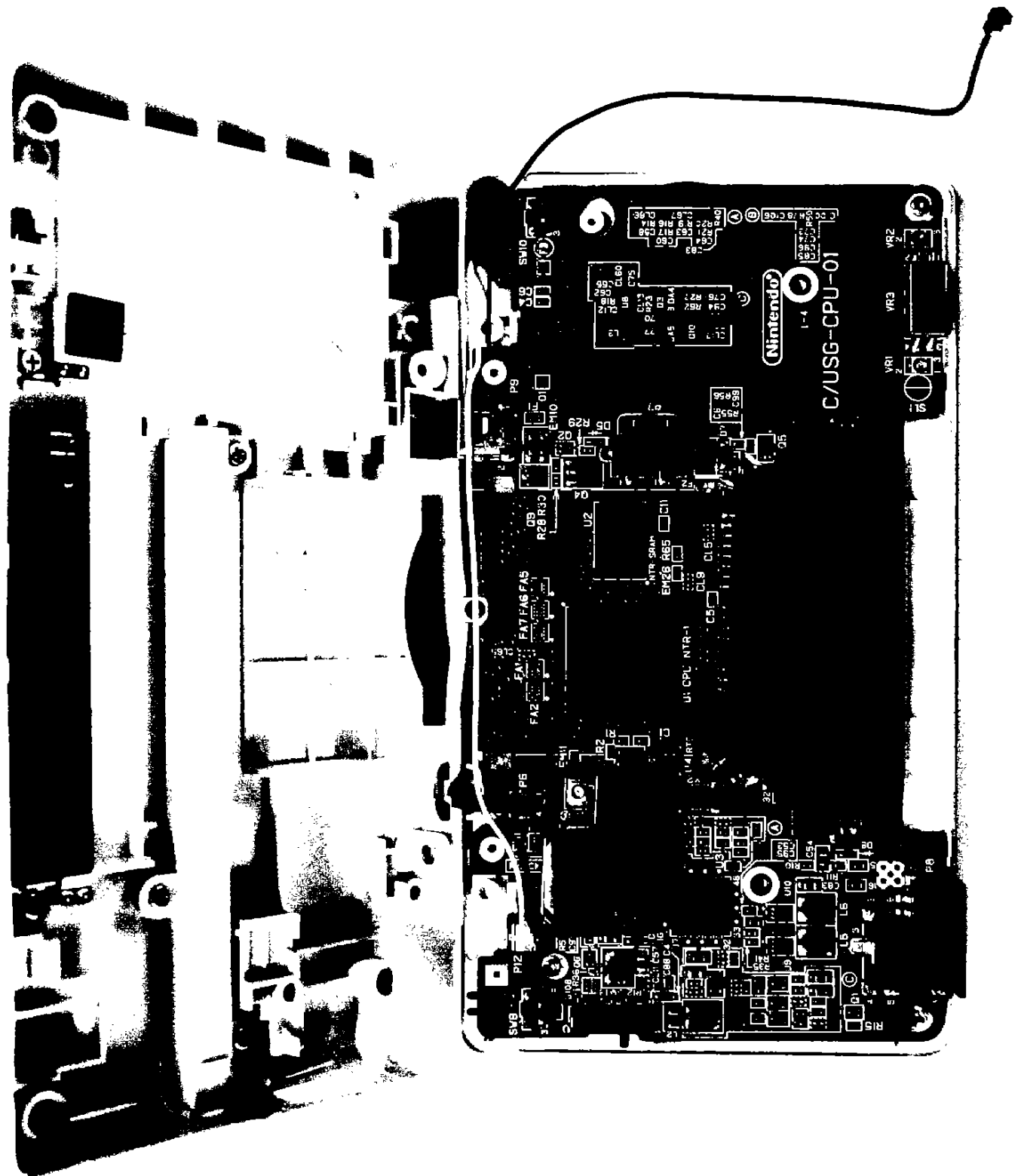
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12 
13 **JOSEPH C. RAZZANO**
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EXHIBIT A





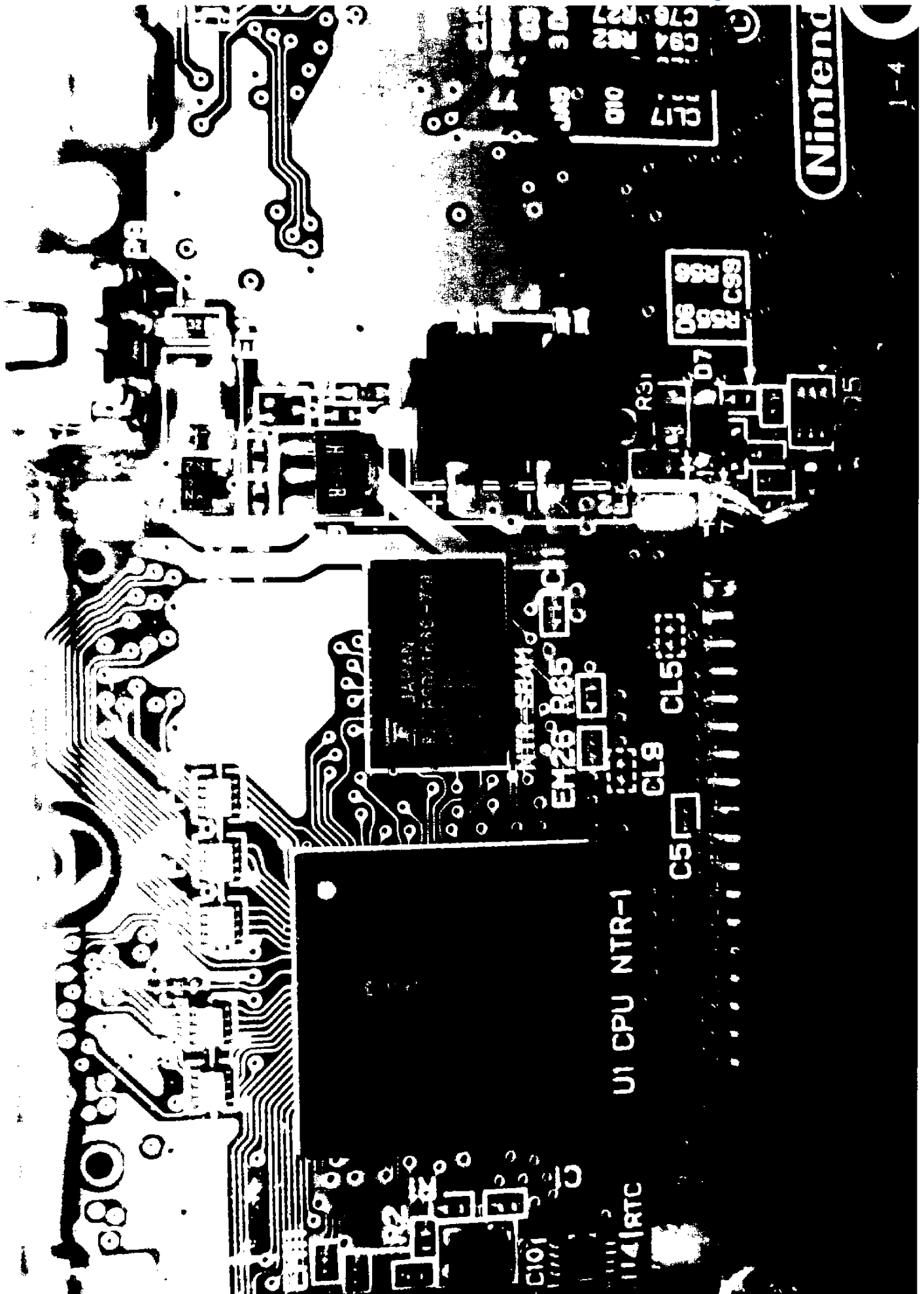
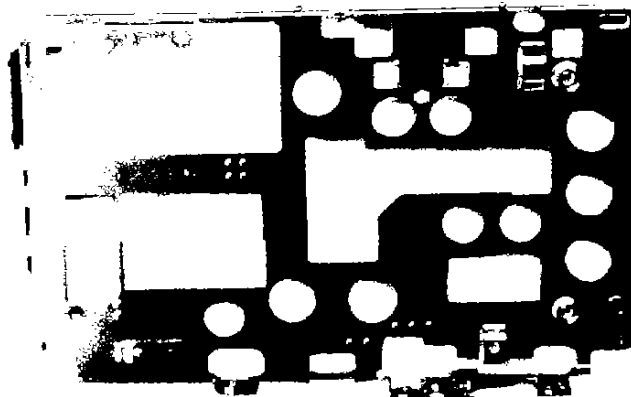
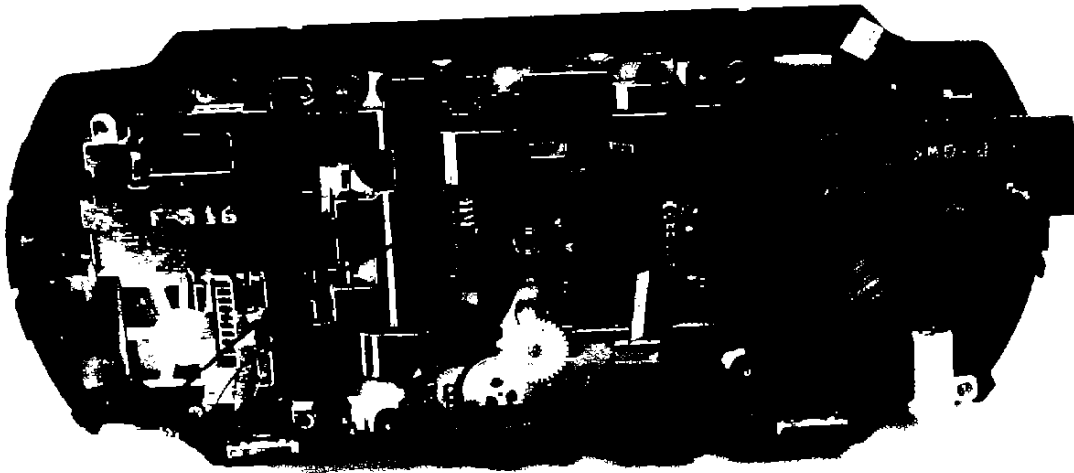
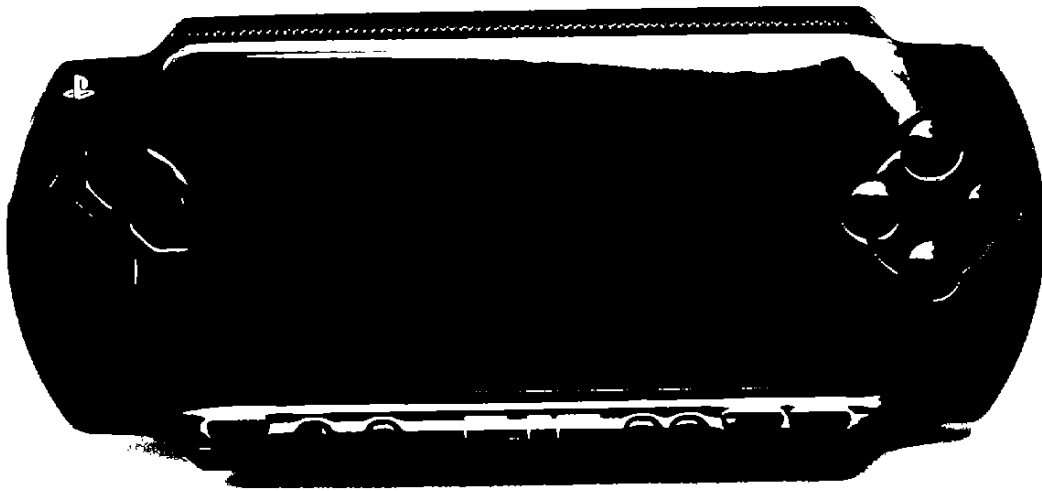


EXHIBIT B





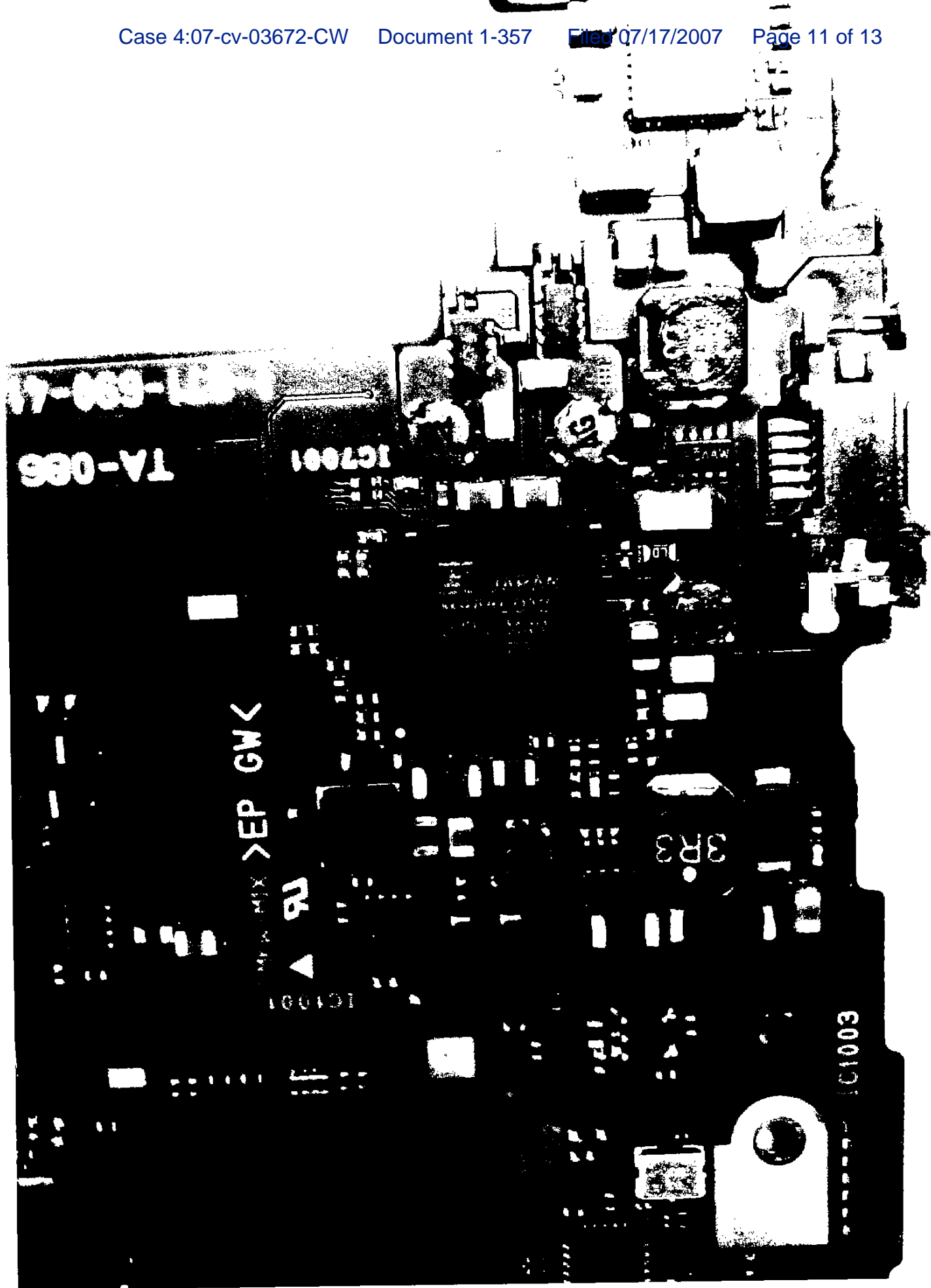


EXHIBIT C

